

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

STACIA STINER, et al.,

Plaintiffs,

v.

BROOKDALE SENIOR LIVING, INC., et  
al.,

Defendants.

Case No. [17-cv-03962-HSG](#)

**ORDER DENYING DEFENDANTS'  
MOTION FOR RELIEF FROM  
NONDISPOSITIVE PRERIAL ORDER  
OF MAGISTRATE JUDGE**

Re: Dkt. No. 779

Pending before the Court is Defendants' motion for relief from Magistrate Judge Beeler's April 25 Order, Dkt. No. 778, which ruled on the discovery disputes articulated at Dkt. Nos. 755, 759, 760, and 766. In considering Defendants' objections to Judge Beeler's April 25 Order, the Court must determine whether factual determinations were made in clear error, and whether legal conclusions are contrary to law. *See* Fed. R. Civ. P. 72(a). The Court finds the following:


- It was not clear error or contrary to law for Judge Beeler to order Defendants to produce class lists, production of which had previously been denied in the context of providing notice to the proposed class regarding the Court's ruling, but is now sought in the context of general discovery. Dkt. No. 778 at 2.
- It was not clear error or contrary to law for Judge Beeler to order Defendants to produce documents bearing on Defendants' Service Alignment labor benchmarks, which are used to determine staffing needs at Defendants' facilities. *Id.*
- It was not clear error or contrary to law for Judge Beeler to order Defendants to produce supplemental documents and ESI relating to Plaintiffs' pending motion for certification of subclasses for six facilities. *Id.* at 3.
- It was not clear error or contrary to law for Judge Beeler to find that Plaintiffs, in

1 relation to their Rule 23(b)(2) class claims, are entitled to document production  
2 from “the Fleet Manager and the ‘owner’ of the policy[] and a sample of 20  
3 [Executive Directors].” *Id.*

4 The Court accordingly **DENIES** Defendants’ motion for relief, Dkt. No. 779.

5 **IT IS SO ORDERED.**

6 Dated: 5/2/2024

7   
8 HAYWOOD S. GILLIAM, JR.  
9 United States District Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28